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Dep't Reg Rm 307

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Date: 4/28/2004

DOCKET NO. 1631-2



Daniel P. Burke

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : MICHAEL SHANNON
SERIAL NO. : 10/688,764
FILED : OCTOBER 16, 2003
FOR : ADJUSTABLE SPACER ATTACHMENT
FOR A POWER WASHER

REQUEST FOR REFUND

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

On January 14, 2003, applicant's attorney filed an Information Disclosure Statement (IDS) (copy enclosed) along with copies of the cited references we received in the U.S. Patent and Trademark Office (PTO) mailroom on January 2004, as evidenced by the stamped postcard receipt (copy enclosed). In incorrectly included a paragraph stating that we were enclosing Form P

Adjustment date: 06/08/2004 EEKUBAY1
01/23/2004 WABRHAM1 00000001 070130 10688764
01 FC:1806 180.00 CR


\$180, which we never actually sent to the PTO with the documentation. Since this IDS was filed prior to receipt of the PTO's first Office Action, there is no charge for filing the IDS.

However, applicant's attorney's deposit account statement dated January 30, 2004, (copy enclosed) indicates a charge in the amount of \$180 with the fee code of 1806 for "submission of information disclosure statement". As discussed above, this charge is incorrect and should not have been made.

Therefore, applicant's attorney respectfully requests receiving a credit to Deposit Account No. 07-0130 for the appropriate refund of \$180 as soon as possible.

Respectfully submitted,

MICHAEL SHANNON

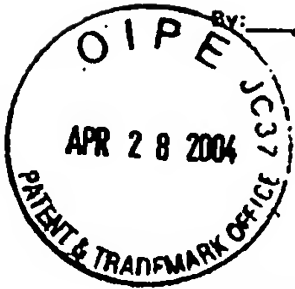

Daniel P. Burke
Reg. No. 30,735
GALGANO & BURKE, LLP
Attorneys for Applicant

300 Rabro Drive, Suite 135
Hauppauge, NY 11788
Tel. (516) 582-6161
Fax (516) 582-6191

Enclosures: Copy of Information Disclosure Statement
Copy of stamped postcard receipt
Copy of Deposit Account Statement dated 1/30/2004

CERTIFICATE OF MAILING

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By: [Signature]
Daniel P. Burke

Date: 1/14/04

DOCKET NO. 1631-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael Shannon
Serial No. : 10/688,764
Filed : October 16, 2003
For : ADJUSTABLE SPACER ATTACHMENT FOR A POWER WASHER

INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to Applicant's duty under 37 C.F.R. Section 1.56 et seq., Applicant wishes to bring the following references to the attention of the Examiner prior to the consideration of the above-referenced patent application. The inclusion of any reference herein is not intended to be, and should not be construed as, an admission that the references are "prior art" with respect to Applicant's invention or that they render any of the pending claims prima facie unpatentable.

<u>U.S. PATENT NO.</u>	<u>DATE</u>	<u>PATENTEE</u>
Des.277,499	February 5, 1985	Slager
1,949,904	March 6, 1934	Guedel
2,692,163	October 19, 1954	Geel
3,508,709	April 28, 1970	Small, et al.
3,726,481	April 10, 1973	Foster, et al.
3,770,210	November 6, 1973	Veltkamp
3,931,931	January 13, 1976	Otis
3,940,072	February 24, 1976	Isihkawa, et al.
4,022,382	May 10, 1977	Engdahl, Jr.
4,267,782	May 19, 1981	Talbott
4,323,196	April 6, 1982	Logue, et al.
5,653,392	August 5, 1997	Wells
6,045,064	April 4, 2000	Abraham
6,247,658	June 19, 2001	Bakas

A copy of each of the above patents, and a completed PTO-1449 form is enclosed herewith.


CONCLUSION

Applicant respectfully submits that all originally filed claims are properly allowable over the cited references. If the Examiner has any questions, or comments which may expedite the prosecution of the present application, the Examiner is respectfully invited to contact Applicant's attorney at the phone number set forth below.

Also attached is PTO-2038 in the amount of \$180.00 to cover the cost of filing this Information Disclosure Statement. The Commissioner is hereby authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 07-0130.

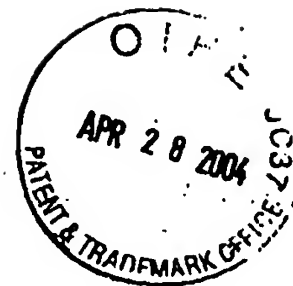
Respectfully submitted,

Date: 1/14/04

By: 

Daniel P. Burke
Attorney for Applicant
Reg. No. 30,735
GALGANO & BURKE, LLP
300 Rabro Drive, Suite 135
Hauppauge, NY 11788
Tel. (516) 582-6161
Fax (516) 582-6191

Enclosures: PTO-1449, copies of cited references,
PTO-2038 and return postcard

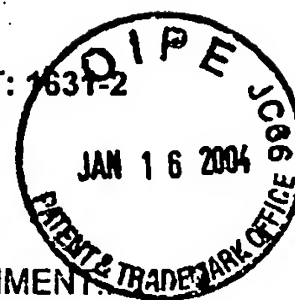


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DOCKET: 1631-2

APPLICANT : Michael Shannon
SERIAL NO. : 10/688,764
FILED : October 16, 2003
FOR : ADJUSTABLE SPACER ATTACHMENT

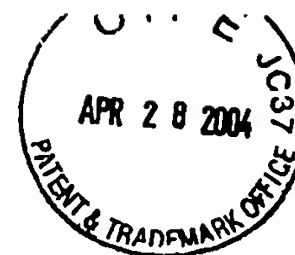


Papers sent:

- Information Disclosure Statement with Certificate of Mailing dated January 14, 2004
- PTO-1449 with copies of cited references
- return postcard



UNITED STATES
PATENT AND
TRADEMARK OFFICE



**MONTHLY STATEMENT
OF DEPOSIT ACCOUNT**

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

GALGANO & BURKE

FINA

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HAUPPAUGE NY 11788

Account No.	070130
Date	1-30-04
Page	1

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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
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1	2	04	1	29145908		2251	55.00	1008.00
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1	9	04	416	10482792	1749-2	2615	10.00	743.00
1	23	04	1	10688764	1631-2	1806	180.00	563.00
1	23	04	10	2109191	246-4	6205	100.00	463.00
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					1063.00	825.00	0.00	238.00